

105TH CONGRESS  
1ST SESSION

# H. R. 2626

To make clarifications to the Pilot Records Improvement Act of 1996, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 7, 1997

Mr. DUNCAN (for himself, Mr. SHUSTER, Mr. OBERSTAR, and Mr. LIPINSKI)  
introduced the following bill; which was referred to the Committee on  
Transportation and Infrastructure

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## A BILL

To make clarifications to the Pilot Records Improvement  
Act of 1996, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. RECORDS OF EMPLOYMENT OF PILOT APPLI-**  
4       **CANTS.**

5       Section 44936(f) of title 49, United States Code, is  
6       amended—

7               (1) in paragraph (1) by striking “Before hiring  
8       an individual” and inserting “Subject to paragraph  
9       (14), before allowing an individual to begin service”;

(2) in paragraph (1)(B) by inserting “as a pilot of a civil or public aircraft” before “at any time”;

(3) in paragraph (4)—

(A) by inserting “and air carriers” after “Administrator”; and

(B) by striking “paragraph (1)(A)” and inserting “paragraphs (1)(A) and (1)(B)”;

(4) in paragraph (5) by striking “this paragraph” and inserting “this subsection”; and

(5) by adding at the end the following:

“(14) SPECIAL RULES WITH RESPECT TO CERTAIN PILOTS.—

“(A) PILOTS OF CERTAIN SMALL AIRCRAFT.—Notwithstanding paragraph (1), an air carrier, before receiving information requested about an individual under paragraph (1), may allow the individual to begin service for a period not to exceed 90 days as a pilot of an aircraft with a maximum payload capacity (as defined in section 119.3 of title 14, Code of Federal Regulations) of 7,500 pounds or less, or a helicopter, on a flight that is not a scheduled operation (as defined in such section). Before the end of the 90-day period, the air carrier shall obtain and evaluate such information. The con-

1           tract between the carrier and the individual  
2           shall contain a term that provides that the con-  
3           tinuation of the individual's employment, after  
4           the last day of the 90-day period, depends on  
5           a satisfactory evaluation.

6                   “(B) GOOD FAITH EXCEPTION.—Notwith-  
7           standing paragraph (1), an air carrier, without  
8           obtaining information about an individual under  
9           paragraph (1)(B) from an air carrier or other  
10          person that no longer exists, may allow the in-  
11          dividual to begin service as a pilot if the air  
12          carrier required to request the information has  
13          made a documented good faith attempt to ob-  
14          tain such information.”.

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